



June 22, 2022

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By ECF

Honorable Paul A. Engelmayer
United States District Judge
United States District Court, Southern District of New York
40 Foley Square, Room 2201
New York, NY 10007

Re: *Thomas cv. Malin+Goetz, et al.*, Case No. 21-cv-4978-PAE

Dear Judge Engelmayer:

Bryan Cave Leighton Paisner LLP ("BCLP") recently filed a notice of appearance on behalf of all of the defendants in this matter, substituting in for defendants' prior counsel, Gallo Vitucci Klar LLP.

We write on behalf of defendants and plaintiff to request an adjournment of the July 6, 2022 case management conference and an extension of time to complete discovery in this matter. The Court previously granted two prior extension requests, extending the deposition deadline to May 6, 2022, the fact discovery deadline to May 27, 2022 and the expert discovery deadline to June 8, 2022. Today's request has been necessitated by multiple reasons, including BCLP's recent appearance on behalf of the defendants in this matter on May 25, 2022. Since BCLP's appearance in this matter we have reviewed prior counsel's files, including the documents exchanged to date in this matter and reached out to plaintiff's counsel to schedule a call to discuss next steps in this matter. Upon review of the case files, BCLP has determined that fact discovery was not completed by either side prior to BCLP's appearance in this matter, including document production and depositions. Defendants produced some documents with its initial disclosures in this matter and Plaintiff and Defendants exchanged some documents prior to the mediation. Defendants are working diligently to gather and produce any outstanding documents responsive to Plaintiff's demands. Defendants will also request that plaintiff produce all documents responsive to its written discovery demands. Defendants anticipate that plaintiff will seek at least four depositions (the three individual defendants and a corporate representative of Malin+Goetz). The parties propose the Civil Case Management Plan and Scheduling Order be modified and the dates be extended for about 60 days from today as follows:

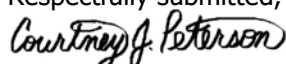
Depositions shall be completed by July 29, 2022

Fact discovery shall be completed no later than August 19, 2022

Expert discovery shall be completed by August 26, 2022.

A proposed Revised Civil Case Management Plan and Scheduling Order is attached. Accordingly, the parties jointly request the Court's permission to extend discovery as proposed and to reschedule the case management to a date convenient for the court after August 19, 2022.


We thank the Court in advance for its attention to this matter.

Respectfully submitted,

Courtney J. Peterson

Granted. The Court will separately approve the proposed case management plan and schedule a new case management conference for August 22, 2022, at 10 a.m. The case management conference scheduled for July 6, 2022 is adjourned. SO ORDERED.

cc: Laine Armstrong, Esq. (via ECF)

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PAUL A. ENGELMAYER
United States District Judge

Dated: June 23, 2022